

IN THE UNITED STATES DISTRICT COCURT  
FOR THE DISTRICT OF RHODE ISLAND

YANES, et. al,	)	
Plaintiffs	)	
	)	
V.	)	No. 1:20-cv-00216-MSM-PAS
	)	
MARTIN, et. al	)	
Defendants	)	

**ORDER**

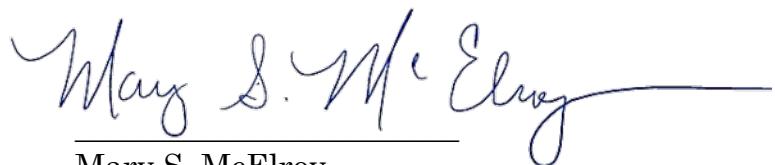
The petitioners, immigration detainees at the Wyatt Detention Center in Central Falls, Rhode Island, have brought this putative class action habeas claiming that the conditions in which they are confined violate their Fifth Amendment due process rights by subjecting them to substantial and imminent risk of severe injury from infection with the COVID-19 virus. They seek declaratory and injunctive relief as well as release from detention under precautionary public health measures.

As a more immediate matter, they seek an injunction addressing two sides of the same coin: (a) a ban on their being transferred out of the jurisdiction while this action is pending; and (b) a ban on acceptance of new detainees at the Wyatt facility while this action is pending. To give the Court time to consider this matter, unless otherwise ordered by this Court, no detainees in the putative class shall be moved outside the District of Rhode Island without providing the Court at least 48 hours' advance notice of the move and the reasons therefor. Any such 48-hour notice period shall commence at the date and time such notice is filed and expire 48 hours later. However, any notice period that would end on a Saturday, Sunday or a legal holiday will be extended until the same time on the

next day that is not a Saturday, Sunday, or legal holiday. Fed. R. Civ. P. 6(a)(2)(C). The question of additional detainees being moved *into* Wyatt is a more complicated matter, as it requires a factual inquiry and would have an impact on future orders of other federal courts. The respondents at this point have not been served. The Court therefore postpones consideration of the acceptance of new detainees at Wyatt to a more appropriate time.

This Order shall remain in effect unless vacated by the Court.

IT IS SO ORDERED:



Mary S. McElroy,  
U.S. District Judge

May 19, 2020